



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P (MD) No.10343 of 2015

V.Marimuthu

... Petitioner

Vs.

- 1.The Superintendent of Police,
Madurai District.
- 2.The Deputy Superintendent of Police,
Usilampatti Circle,
Madurai District.
- 3.The Inspector of Police,
Usilampatti Town Police Station,
Usilampatti, Madurai District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to give protection and permission to the festival and Aadal & Paadal program conducted at Arulmigu Chokkandi Amman Kovil festival at Nalluthevanpatti, Usilampatti Taluk, for Kovil Petti Edukkum Thiruvizha scheduled on 26.06.2015 and 27.06.2015.

For Petitioner : Mr.G.Vishnuram

For Respondent : Mr.R.Karthikeyan

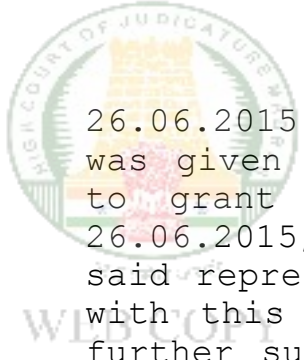
Additional Government Pleader

O R D E R

This writ petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondents to give protection and permission to the festival and Aadal & Paadal program conducted at Arulmigu Chokkandi Amman Kovil festival at Nalluthevanpatti, Usilampatti Taluk, for Kovil Petti Edukkum Thiruvizha scheduled on 26.06.2015 and 27.06.2015.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

3.Learned counsel for the petitioner would submit that the petitioner belongs to Valaiyapatti, Pothampatti Panchayat, Usilampatti Taluk, Madurai District and every year, the temple festival of Arulmigu Chokkandi Amman Kovil festival at Nalluthevanpatti, Usilampatti Taluk is being conducted by the villagers and this year also, the villagers jointly decided to conduct the village temple festival, with "dance program" on



26.06.2015 and 27.06.2015. In this connection, a representation was given on 17.06.2015 to the respondent police, with a request to grant permission to conduct "Aadal & Paadal program" on 26.06.2015, however, no order was passed by the respondent on the said representation and hence the petitioner is before this Court with this writ petition. The learned counsel for the petitioner further submitted that as the temple festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident by the people of the village.

4.Mr.R.Karthikeyan, learned Additional Government Pleader appearing for the respondents, on instructions, would submit that the permission sought for by the petitioner may be granted with stringent conditions for maintaining law and order and also to avoid any untoward incident during performance of such programme.

5.Having considered the facts and circumstances and the submissions made by the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent, this court is of the view that necessary permission shall be granted to the petitioner and his villagers to conduct 'Aadal Paadal" in connection with the temple festival of Arulmigu Chokkandi Amman Kovil festival at Nalluthevanpatti, Usilampatti Taluk.

6.Accordingly, the writ petition is disposed of with the following directions:

(a)The cultural programme in connection with temple Festival at Arulmigu Chokkandi Amman Kovil festival at Nalluthevanpatti, Usilampatti Taluk be held on 26.06.2015 between 06.00 p.m. and 10.30 p.m.

(b)There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants;

(c)Double meaning songs should not be played so as to spoil the minds of students and youths.

(d)No dance or songs, touching upon any political party or religion or community or caste be played.

(e)No flex boards in support of any political party or communal leader be erected.

(f)The function should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(g)If there is any violation of any one of the conditions imposed, the concerned police officer is at liberty to take necessary action, as per law and stop such performance;



(h) Similarly, the police is entitled to stop the dance programme, if it exceeds beyond the permitted time; and

(i) The respondent is directed to issue necessary permission, incorporating the above conditions.

No costs.

/True copy/

Sd/-

Assistant Registrar (AE)

Sub Assistant Registrar

vs

To

1. The Superintendent of Police,
Madurai District.

2. The Deputy Superintendent of Police,
Usilampatti Circle,
Madurai District.

3. The Inspector of Police,
Usilampatti Town Police Station,
Usilampatti, Madurai District.

+1CC TO MR.K.R.LAXMAN, ADVOCATE IN SR NO.33454

+1CC TO SPECIAL GOVERNMENT ADVOCATE IN SR NO.33633

W.P (MD) No.10343 of 2015

24.06.2015

RG.25.06.2015 3P/6C.